

REMARKS/ARGUMENT

Claims 1-20 remain pending in the patent application. Claims 1, 4, 5, 6, 7, 11, 13 and 14 have been amended to address formalities and to more distinctly point out the present invention.

I. Claim Objections

Claims 14 and 14 have been objected to due to informalities arising from errors of a typographical nature. These claims have been amended, above, to address these informalities.

II. Rejections Under 35 U.S.C. § 112, ¶ 2

Claims 5, 7 and 11 have been rejected under 35 U.S.C. § 112, ¶ 2, as indefinite.

In claim 5, "the telecommunications communication connection" is said to lack antecedent basis.

In claim 7, "the processing of the multimedia information" is said to lack antecedent basis.

In claim 11, "said processor" is said to lack antecedent basis.

Claims 5 and 11 having now been amended, the rejections of these claims may be withdrawn.

As to claim 7, it depends from amended claim 1. Among the amendments in claim 1 is one that more distinctly points out a positive recitation of "processing of multimedia

information.” More than adequate antecedent basis for the recited language in claim 7 forming the basis for the rejection is now present in claim 1.

III. Rejection Under 35 U.S.C. § 102(e)

Claims 1, 3-8, 10-11, 13-14, 18 and 20 stand rejected under 35 U.S.C. § 102(e) as unpatentable over U.S. Patent No. 6,567,502 to Zellner (“Zellner”). For the reasons set for the below, these rejections of the claims, of which claims 1, 4, 5, 6, 7, 11, 13 and 14 are now amended, are traversed and should be withdrawn.

A rejection under 35 U.S.C. § 102(e) requires that all limitations of a rejected patent claim be shown identically in a single prior art reference. If the reference fails to show any limitation, the rejection under this provision of the patent statute must be withdrawn.

A. General

The claimed invention is generally directed to an apparatus and a method for providing multimedia monitoring and control of a remote machine, where (among other things) a multimedia connection is coupled to the remote machine to permit monitoring of the machine itself. Particularly in the field of industrial automation, as discussed throughout the application, the invention permits, among other things, remote multimedia monitoring of automated industrial machines, permitting more rapid detection of an adverse status of a monitored machine, as well as saving resources on trouble-shooting, maintenance and other tasks affecting the use and utility of the machine and, by extension, the equipment or process the machine controls.

Zellner, by contrast, neither discloses nor suggests any apparatus or method for remote monitoring of a machine. Rather, Zellner consistently represents that it is directed to monitoring a user's household or vicinity for purposes of personal security or physical safety. Whether or not Zellner may employ remote imaging equipment to this end is irrelevant, because any such equipment is not used for monitoring a remote machine, as claimed. Instead, it is directed at monitoring human activity or other phenomena affecting humans and their environment.

The Office Action apparently relies on column 7, lines 44-55 and column 8, lines 52-57 of Zellner as allegedly showing generating multimedia information regarding a status of the remote machine. Neither these passages of Zellner, nor any others, discloses these features. As discussed above, remote imaging equipment in Zellner does not monitor the status of machines (not even themselves) nor do they transmit multimedia or visualization information derived from such monitoring.

Zellner also does not disclose an augmented reality device (as discussed in the Application, paragraphs [037]-[042]); it merely discloses video. Moreover, it does not disclose or enable use of video within the rest of the invention as claimed.

Still further, Zellner does not disclose the use of a trace functionality. The rejection refers to column 5, line 49, which reads: "FIG. 3 illustrates a general arrangement wherein the ESC 14..." There is no statement or even any allusion to a trace functionality for the monitored machine. Trace functionality is a term of art in the field of industrial control having to do with deriving control or state variables of automated industrial machinery. As discussed above, this is not a subject treated by Zellner.

Zellner therefore does not disclose the limitations as claimed.

Moreover, Zellner is not relevant to the field of industrial automation. Instead, it relates

to a way to deploy a telephone system to permit gathering of information about a person's environment. This is an entirely different problem than the one addressed by, and claimed in, the pending application. In the absence of any direction in the art to do so, a worker in the field of industrial automation would not look to the security or telecommunications industry. Even if one were to do so, it would not lead to the invention, as claimed, which involves remote, multimedia monitoring of a machine.

B. Claim 1 and its Dependencies

For the reasons set forth immediately above, the limitations of claim 1 (now amended) are not identically disclosed (or even suggested) by Zellner.

Zellner does not disclose: a processor for processing of multimedia information regarding a monitored status of a remote machine; nor does it disclose a multimedia connection providing a multimedia transmission connection to the remote machine, the multimedia connection also transmitting the multimedia information regarding a monitored status of the remote machine.

Claim 1 and claims 3-8 and 10, which depend from it, are submitted to be allowable.

C. Claim 11 and its Dependencies

Claim 11, along with its dependencies 11, 13-14, 18 and 20, also stand rejected under Zellner for the reasons elaborated upon under Section III, A and B, herein incorporated by reference, but are submitted to be allowable for similar reasons.

Similar to claim 1, the method of claim 11 calls for the provision of multimedia monitoring and control of a remote machine, involving (among other things) processing information generated by the monitored remote machine, generating multimedia information regarding a monitored status of the remote machine; and providing a multimedia connection coupled to said processor providing a multimedia transmission connection to the monitored

remote machine; and providing a multimedia connection coupled to said processor providing a multimedia transmission connection to the monitored remote machine and transmitting said multimedia information regarding a status of the monitored remote machine.

None of these recited method steps are identically shown, nor are they suggested, by Zellner. For this reason, it is respectfully submitted that the rejection of claim 11 should be withdrawn. For the same reason, the rejections of claims 13, 14, 18 and 20, dependent from claim 11, should also be withdrawn.

IV. Rejection Under 35 U.S.C. § 103(a)

Claims 2, 9, 12, 15-17, and 19 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Zellner in combination with U.S. Patent No. 6,567,502 to Widegren. Applicants respectfully submit that these rejections are traversed on the basis of the above arguments, incorporated herein by reference, as well as those that follow.

While the rejections acknowledge that Zellner does not explicitly teach that the processor enables a UMTS connection, this lacuna is said to be filled by Widegren.

Widegren has to do with universal mobile telephone systems, but nothing in the art generally, nor in Zellner or Widegren, would suggest to a worker in the field of industrial automation either to look to Zellner or Widegren, or to combine them. That combination of references could only be arrived at, impermissibly, with the benefit of the above-referenced application or the Office Action. Even if these references could be properly combined, they would not yield the claimed invention, due to the significant deficiencies of Zellner as discussed above.

For these reasons, and because these claims are dependent from allowable base claims, it is respectfully submitted that the rejections of claims 2, 9, 12, 15-17 and 19 should be withdrawn.

CONCLUSION

Upon entry of this Amendment, claims 1-20 are pending in the application. Applicants submit that the claims, for the reasons set forth above, are in condition for allowance.

Reconsideration and allowance are therefore respectfully requested.

For purposes of the extension of the time to respond, requested above, or if a fee is required, the Commissioner is authorized to charge the fee to Deposit Account No. 23-1703.

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